

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Byron Daniel Martinez

AKA: Byron Daniel Martin

IAE YOB: 1987
Honduras

(Name and Address of Defendant)

CRIMINAL COMPLAINT

Case Number: M-19- 1046-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 7, 2019 in Hidalgo County, in the Southern District of Texas *(Track Statutory Language of Offense)*

being then and there an alien who had previously been deported from the United States to Honduras in pursuance of law, and thereafter was found near Mission, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)
I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Bayron Daniel Martinez was encountered by Border Patrol Agents near Mission, Texas on May 7, 2019. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on May 7, 2019, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on April 23, 2019 through El Paso, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On May 1, 2017, the defendant was convicted of 8 USC 1326 Removed Alien Found in the United States and sentenced to thirty (30) months confinement and two (2) years supervised release term.

Approved AUSA Michael Mitchell
Michael Mitchell 5-8-19

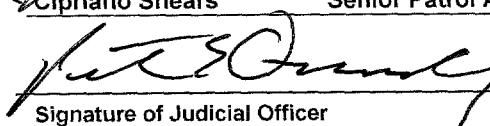
Continued on the attached sheet and made a part of this complaint:

Yes No

Signature of Complainant

Cipriano Shears

Senior Patrol Agent

Signature of Judicial Officer

Peter E. Ormsby, U.S. Magistrate Judge
Name and Title of Judicial Officer